

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George A. Neuman et al
Application No. : 09/057,677
Filed : April 9, 1998
Title : COMPOUNDS AND COMPOSITIONS FOR
: COATING GLASS WITH SILICON OXIDE
Group Art Unit : 1755

Examiner : David M. Brunsman
Confirmation No. : 6665
Customer No. : 24959
Attorney Docket No. : 1048D2

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO REISSUE
NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE

This REQUEST TO REISSUE NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE is filed in response to the Notice of Abandonment mailed June 29, 2010 in the above-identified application.

Applicants thank Examiner Brunsman for the courtesies extended to the undersigned during the telephone interview of July 2, 2010 at which the Notice of Abandonment was discussed.

At the conclusion of the telephone interview, the undersigned concluded it was appropriate to file this Request to Reissue Notice of Allowance and Issue Fee(s) Due which includes a request to withdraw the Notice of Abandonment.

THE EVENTS

A NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85) and Notice of Allowability (PTOL-39) in the above matter was mailed January 8, 2010. The Issue Fee(s) were due on or before April 8, 2010. Of interest in this discussion was the "X" in Paragraph 5 of the Notice of Allowability requiring applicants to submit corrected drawings on or before April 8, 2010.

A CORRECTED FILING RECEIPT mailed February 19, 2010 listed the applicants of the above-identified application as George A. Neuman, Patricia Ruzakowski Athey and Royann Stewart-Davis. The applicants listed on the CORRECTED FILING RECEIPT did not correspond with the applicants listed in Assignee's files, which applicants were George A. Neuman, David E. Lecocq and Royann Stewart-Davis. The CORRECTED FILING RECEIPT form was confusing because it indicated that the above application would be taken up for examination in due course, whereas a NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85) and Notice of Allowability (PTOL-39) in the above matter was earlier received.

A second Notice of Allowability in the above application was mailed March 3, 2010. Of interest in this discussion is the "X" in Paragraphs 4 and 5. Applicants were given three months (up to and including June 3, 2010) to meet the requirements of Paragraphs 4 and 5. There was no reference to the status of the NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85) mailed January 8, 2010 and due April 8, 2010.

The second Notice of Allowability had an end date of June 3, 2010 which was after the end date of April 8, 2010 of the NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85).

On June 1, 2010 an AMENDMENT UNDER 37 CFR 1.312 was filed to correct the inventorship of the above application and provide corrected drawings. On June 3, 2010, the issue fee was paid. To apply the paid issue fee to the correct application, the NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85) mailed January 8, 2010 was used.

An Office communication mailed June 11, 2010 stated that the response filed June 1, 2010 met all the requirements set forth in the Notice of Allowability mailed March 3, 2010.

The Notice of Abandonment was mailed June 29, 2010.

THE ERROR

It is believed that the error which resulted in the mailing of the Notice of Abandonment was the mailing of the issue fee using the NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85) mailed January 8, 2010 instead of waiting for a reissued NOTICE OF ALLOWANCE AND ISSUE

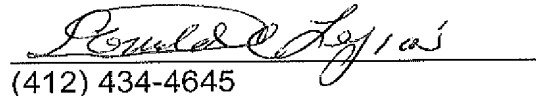
FEE(S) DUE (PTOL-85) indicating that all the requirements of the second Notice of Allowability for issuance of a patent have been met.

Based on the forgoing, applicants respectfully request withdrawal of the Notice of Abandonment under 37CFR 1.181 and the reissuance of second NOTICE OF ALLOWANCE AND ISSUE FEE(S) DUE (PTOL-85).

In the event issues remain, the Examiner is invited to call Mr. Andrew Siminerio at (412) 434-4645 or the undersigned at (412) 434-2884 to discuss those issues.

Respectfully Submitted,

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Pittsburgh, Pennsylvania
July 9, 2010